

**UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO**

Case No.: 97-228 (JAF)

UNITED STATES OF AMERICA

PLAINTIFF,

VS

JOSE RAMON HERNANDEZ

DEFENDANT

TO THE HONORABLE CHIEF JUDGE JOSE A FUSTE:

COMES NOW, the defendant through counsel and pursuant to Local Rule 7.1 Fed.R.Crim.P 36 moves this Honorable court to amend and correct a sentence based on a typographical error. In support the appearing party states and prays as follows:

1. The Court entered and amended judgment and sentence as to the appearing defendant on February 14th 2007 and appearing on Docket # 275 where the USM number is incorrect as to the particular defendant.

2. In the amended judgment the court identified the U.S. marshal number of the particular defendant as #15422-069. This number is incorrect and does not belong the individual defendant but someone else. The defendant's USM # is 16088-069
3. Pursuant to Rule 36 -Clerical Error- after giving any notice it considers appropriate, the court may at any time correct a clerical error in a judgment, order, or other part of the record, or correct an error in the record arising from oversight or omission. (As amended Apr. 29, 2002, eff. Dec. 1, 2002.)
4. Accordingly, the appearing defendant respectfully moves this Honorable Court to correct the USM number appearing on the first page of the judgment (docket#275) to the correct USM to wit: #16088-069.
5. The matter is necessary to be correct so the Bureau of Prisons can designate the individual defendant according to policy.

WHEREFORE the appraising defendant respectfully prays to this Honorable Court to grant the motion and correct the USM# to it: #16088-069.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on This Day I electronically filed with the Clerk of the Court using the CM/ECF system which will send notification to the all counsels of record.

S./ Lorenzo J. Palomares Starbuck
Lorenzo J. Palomares Starbuck, Esq.